

ESTTA Tracking number: **ESTTA630055**Filing date: **09/30/2014**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	BBK Tobacco & Foods, LLP d/b/a HBI International		
Entity	Partnership	Citizenship	Arizona
Composed Of:	BBK Tobacco & Foods Products, LLC, an Arizona limited liability company, as general partner of BBK Tobacco & Foods, LLP		
Address	3315 W Buckeye Rd #4 Phoenix, AZ 85009 UNITED STATES		

Attorney information	Brendan N. Mahoney BBK Tobacco & Foods, LLP d/b/a HBI International 3314 W. Buckeye Rd #4 Phoenix, AZ 85009 UNITED STATES legal@hbiin.com Phone:602-955-6688
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Registration Subject to Cancellation

Registration No	4579500	Registration date	08/05/2014
Registrant	XS DISTRIBUTION LLC 31234 Warren Rd Westland, MI 48185 UNITED STATES		

Goods/Services Subject to Cancellation

Class 010. First Use: 2013/10/00 First Use In Commerce: 2013/10/00

All goods and services in the class are cancelled, namely: Vaporizers for medical purposes; electronic vaporizers for personal use that emit vapor for treatment of a variety of medical conditions; hand-held electric powered vaporizers for medical use; electrically powered vaporizers for vaporizing constituents of herbal and plant matter for medical use; battery powered handheld vaporizers for medical use; Electric vaporizer kits for medical use comprised of vaporizers for medical use, vaporizercart-ridges for holding oils and liquids used to produce the inhalable aerosol, vaporizer atomizer bases and coils, vaporizer packing tools, vaporizer mouthpieces, and vaporizer batteries and battery chargers sold together as a unit

Grounds for Cancellation

<i>Torres v. Cantine Torresella S.r.l. Fraud</i>	808 F.2d 46, 1 USPQ2d 1483 (Fed. Cir. 1986)
Priority and likelihood of confusion	Trademark Act section 2(d)
The mark is merely descriptive	Trademark Act section 2(e)(1)
Dilution	Trademark Act section 43(c)

Marks Cited by Petitioner as Basis for Cancellation

U.S. Registration No.	2874945	Application Date	08/28/2003
Registration Date	08/17/2004	Foreign Priority Date	NONE
Word Mark	KINGPIN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2003/01/03 First Use In Commerce: 2003/01/03 Tobacco in the form of leaves, Cigarette Rolling Papers, Cigars [, Cigarettes]		

U.S. Registration No.	3996913	Application Date	11/22/2010
Registration Date	07/19/2011	Foreign Priority Date	NONE
Word Mark	KINGPIN CAPO DEI CAPI		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2009/11/13 First Use In Commerce: 2009/11/13 Cigar wraps; Cigars; Tobacco, cigars and cigarettes		

U.S. Application No.	85963317	Application Date	06/18/2013
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	KINGPIN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2014/06/25 First Use In Commerce: 2014/06/25 Chemical flavorings for the preparation of tobacco, namely, cigarette tobacco,		

	chewing tobacco and snuff; Chemical flavorings in liquid form used to refill electronic cigarette cartridges Class 034. First use: First Use: 2014/05/20 First Use In Commerce: 2014/05/20 Cigar boxes not of precious metal; Cigar humidifiers; Electronic cigarettes; Electronic cigars
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Attachments	85182777#TMSN.png(bytes) 85963317#TMSN.png(bytes) King Pen Petition for Cancellation no exhibits.docx.pdf(156418 bytes) Petition to Cancel (King Pen) Exhibits A-E.pdf(798534 bytes) Petition to Cancel (King Pen) Exhibits F-I.pdf(874081 bytes) Petition to Cancel (King Pen) Exhibit J.pdf(825601 bytes) Petition to Cancel (King Pen) Exhibit K.pdf(3621550 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Brendan N. Mahoney/
Name	Brendan N. Mahoney
Date	09/30/2014

Mark	Class and Goods & Services	Serial No.	Registration No.	Filed Date	First Use Date	Registration Date
Kingpin	IC 034 - Cigar boxes not of precious metal; Cigar humidifiers; Electronic cigarettes; Electronic cigars	85-963317		6/18/13	6/25/2014	
Kingpin	IC 034 - Tobacco in the form of leaves, Cigarette Rolling Papers, Cigars, Cigarettes	78-293520	2874945	8/28/03	1/1/03	8/17/04
Kingpin Capo Dei Capi	IC 034 - Cigar wraps; Cigars; Tobacco, cigars and cigarettes	85-182777	3996913	11/22/10	11/13/09	7/19/11

2. Petitioner uses, and has used, and continues to use Petitioner's Registered KINGPIN® Marks (and marks pending registration) to identify the goods identified in the corresponding registrations and applications. In the case of Registration 2874945, Registrant's use is now incontestable.

3. Petitioner itself, or through its predecessor, has used, Petitioner's Registered Marks (and marks pending registration) in U.S. interstate commerce for the sale of the goods identified in those registrations and applications since approximately 2004.

4. Petitioner has made substantial sales of goods under its KINGPIN® brand marks.

5. Petitioner has made substantial expenditures for advertising its products in connection with the KINGPIN® trademark.

6. As a result of substantial sales and advertising and promotions of Petitioner throughout the United States under the KINGPIN® trademark, it has become well known and widely accepted, respected and recognized by the retail community as well as by customers.

7. The KINGPIN® trademark has become famous and distinctive throughout the United States, identifying products emanating from Petitioner, and symbolizing extremely valuable goodwill.

8. 9. Upon information and belief, XS Distribution, LLC is a Michigan limited liability company with its principal place of business at 31234 Warren Road, Westland MI 48185. The resident agent is Anthony Shallal. (Exhibit A).

9. On December 7, 2013, XS Distribution, the Registrant herein, by and through its Principal, Anthony Shallal, filed an application to register the mark “KING PEN.” The application bears the serial number 86-137774, and is incorporated by reference herein (Exhibit B).

10. The KING PEN trademark registration application was filed as a Section 1(a) “in use” application, alleging first use anywhere and first use in commerce dates of “10/00/2013.” Upon information and belief, the allegations of first use dates were false because Registrant has made or sold such a product

11. The KING PEN trademark registration application sought classification of KING PEN in International Class 010 for the following goods and services: “(vaporizers for medical purposes; electronic vaporizers for personal use that emit vapor for treatment of a variety of medical conditions; handheld electric powered vaporizers for medical use; electrically powered vaporizers for vaporizing constituents of herbal and plant matter for medical use; battery powered handheld vaporizers for medical use; electric vaporizer kits for medical use comprised of vaporizers for medical use, vaporizer cartridges for holding oils and liquids used to produce the inhalable aerosol, vaporizer atomizer bases and coils, vaporizer packing tools, vaporizer mouthpieces, and vaporizer batteries and battery chargers sold together as a unit.” Upon information and belief, Registrant never has used, nor ever intended to use, the mark KING PEN in connection with any of the aforementioned goods.

12. Upon information and belief, Registrant’s intent and purpose for alleging in its KING PEN trademark registration application actual use of the KING PEN mark in international class 010 for medical devices was to obscure from the USPTO, and Petitioner and the public, that the mark KING PEN would be used to sell vaporizers bearing other trademarks for inhaling nicotine and other substances, and not for medical products bearing the mark KING PEN.

13. The application attached two specimens, attached hereto as Exhibit C. Upon information and belief, the specimens are improper because Registrant has never made such a product.

14. One of the specimens (#2) is further defective because it shows the product as KING with a description below “Pen Vaporizer.”

15. The term “pen vaporizer” is merely descriptive.

16. The application lists a website for the produce as www.mykingpen.com. Upon information and belief, the website www.mykingpen.com never has existed and does not presently exist (*See* Exhibit D).

17. Upon information and belief, the domain name “mykingpen.com” was registered through Oneandone Private Registration on October 3, 2013. (*See* Exhibit E).

18. The internet archive Waybackmachine has recorded no webpages for this domain name. (*See* Exhibit F).

19. The KING PEN mark was published in the Official Gazette on or about May 20, 2014.

20. A registration certificate for the mark was issued on August 5, 2014.

21. Shortly after the King Pen mark registered, a new entity was formed on August 14, 2014 in California under the name of XS Distribution LLC. (Exhibit G).

22. Upon information and belief, Registrant owns the website, www.kingpenvapes.com. (Exhibit H)

23. The website www.kingpenvapes.com sells vaporizers to customers.

24. The website www.kingpenvapes.com does not sell any vaporizers under the brand KING PEN.

25. Registrant maintains social media identities on Twitter (Exhibit I) Facebook (Exhibit J) and Instagram (Exhibit K). Upon information and belief, Registrant never mentioned any goods bearing the brand King Pen in its postings on Twitter, Facebook or Instagram.

26. Upon information and belief, no goods bearing the King Pen brand in connection with Registrant ever have existed.

27. Upon information and belief, Registrant was aware of the registered mark KINGPIN® when Registrant filed its trademark application for KING PEN

28. Upon information and belief, Registrant knew or should have known Petitioner made and sold products in commerce in connection with its trademark KINGPIN®.

29. Registrant's declaration in connection with its trademark application for the KING PEN mark contained material misrepresentations of fact:

- a. The specimens purported to represent a product that did not in fact exist.
- b. The date of first use and declaration of actual use were false because a product did not in fact exist.
- c. The classification and description of goods and services was false because Registrant does not make medical devices but instead sells devices intended for non-medical uses.

30. Upon information and belief, Registrant, at the time of executing the declaration, knew or should have known it contained material misrepresentations.

31. Upon information and belief, Registrant intended the USPTO with these material misrepresentations in order to obtain a trademark registration to which it was not otherwise entitled.

32. Petitioner's KINGPIN® trademark is a dominant part of the Registrant's mark. The term KING PEN in Registrant's mark and KINGPIN in Petitioner's mark sound nearly identical, and some English speakers pronounce the two marks identically.

33. The word “vapes” in the mark KING PEN is merely descriptive element.

34. Both Petitioner and Registrant advertise and sell the same kind of goods to the same class of customers.

35. Registrant’s continued registration of the mark KING PEN and the use thereof dilutes the distinctiveness of the Petitioner’s KINGPIN® registered trademark, and is likely to cause confusion in the minds of the purchasing public between the goods of Petitioner sold under the KINGPIN® trademark and the goods of Registrant if sold under the KING PEN trademark.

36. Based upon the foregoing, the KING PEN mark, Registration No. 4579500, is causing, and will continue to cause, injury and damage to Petitioner.

WHEREFORE, Petitioner requests that Registration No. 4579500 for the mark KING PEN in International Class 010 be cancelled, and this petition for cancellation be sustained.

Dated this 30th day of September 2014.

BBK TOBACCO & FOODS, LLP



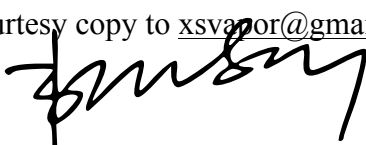
Brendan N. Mahoney, Esq.
3315 W. Buckeye Rd #4
Phoenix, AZ 85009

ATTORNEY FOR PETITIONER

I certify that a copy of the foregoing
was sent this same day via United States
mail, postage prepaid, to:

XS Distribution LLC
31234 Warren Road
Westland, Michigan 85185-3776

Courtesy copy to xsvapor@gmail.com



Brendan N. Mahoney, Esq.

Exhibit A



Department of Licensing and Regulatory Affairs

[Michigan.gov Home](#)[Business Entity Search Home](#)[Corps Home](#)[Contact Corporations](#)[LARA Home](#)

LIMITED LIABILITY COMPANY DETAILS

Searched for: XS DISTRIBUTION LLC**ID Num:** E2135W[Assumed Names](#)**Name:** XS DISTRIBUTION LLC**Type:** Domestic Limited Liability Company**Resident Agent:** ANTHONY SHALLAL**Registered Office Address:** 31234 WARREN RD WESTLAND MI 48185**Mailing/Office Address:****Formation/Qualification Date:** 5-20-2013**Jurisdiction of Origin:** MICHIGAN**Managed by:** Members**Status:** ACTIVE **Date:** Present[View Document Images](#)[Return to Search](#)[New Search](#)

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Exhibit B

PTO Form 1478 (Rev 9/2006)
OMB No. 0651-0009 (Exp 12/31/2014)

Trademark/Service Mark Application, Principal Register

Serial Number: 86137774

Filing Date: 12/07/2013

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86137774
MARK INFORMATION	
*MARK	KING PEN
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	KING PEN
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	XS DISTRIBUTION LLC
*STREET	31234 Warren Rd
*CITY	Westland
*STATE (Required for U.S. applicants)	Michigan
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	48185
PHONE	7342663677
FAX	7343382176
EMAIL ADDRESS	xsvapor@gmail.com

AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
WEBSITE ADDRESS	www.mykingpen.com
LEGAL ENTITY INFORMATION	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Michigan
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	010
*IDENTIFICATION	Vaporizers for medical purposes; electronic vaporizers for personal use that emit vapor for treatment of a variety of medical conditions; handheld electric powered vaporizers for medical use; electrically powered vaporizers for vaporizing constituents of herbal and plant matter; battery powered handheld vaporizers for medical use; Electric vaporizer parts and accessories, namely, vaporizer batteries, atomizer bases, atomizer coils, packing tools, mouthpieces, cartridges for holding oils and liquids used to produce the inhalable aerosol and battery chargers
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 10/00/2013
FIRST USE IN COMMERCE DATE	At least as early as 10/00/2013
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT16\IMAGEOUT16\861\377\86137774\xml1\ APP0003.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\861\377\86137774\xml1\ APP0004.JPG
SPECIMEN DESCRIPTION	One of the images shows the front of the package containing "King Pen" vaporizer. The other image shows one of the sides of the packaging containing the bar code and claiming rights to the brand "King Pen"
ADDITIONAL STATEMENTS SECTION	
DISCLAIMER	No claim is made to the exclusive right to use pen apart from the mark as shown.
CORRESPONDENCE INFORMATION	

NAME	XS DISTRIBUTION LLC
FIRM NAME	XS DISTRIBUTION LLC
STREET	31234 Warren Rd
CITY	Westland
STATE	Michigan
COUNTRY	United States
ZIP/POSTAL CODE	48185
PHONE	7342663677
FAX	7343382176
EMAIL ADDRESS	xsvapor@gmail.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	325
*TOTAL FEE DUE	325
*TOTAL FEE PAID	325
SIGNATURE INFORMATION	
SIGNATURE	/Anthony Shallal/
SIGNATORY'S NAME	Anthony J Shallal
SIGNATORY'S POSITION	Principal
DATE SIGNED	12/07/2013

PTO Form 1478 (Rev 9/2006)
OMB No. 0651-0009 (Exp 12/31/2014)

Trademark/Service Mark Application, Principal Register

Serial Number: 86137774

Filing Date: 12/07/2013

To the Commissioner for Trademarks:

MARK: KING PEN (Standard Characters, see [mark](#))

The literal element of the mark consists of KING PEN.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, XS DISTRIBUTION LLC, a limited liability company legally organized under the laws of Michigan, having an address of
31234 Warren Rd
Westland, Michigan 48185
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 010: Vaporizers for medical purposes; electronic vaporizers for personal use that emit vapor for treatment of a variety of medical conditions; handheld electric powered vaporizers for medical use; electrically powered vaporizers for vaporizing constituents of herbal and plant matter; battery powered handheld vaporizers for medical use; Electric vaporizer parts and accessories, namely, vaporizer batteries, atomizer bases, atomizer coils, packing tools, mouthpieces, cartridges for holding oils and liquids used to produce the inhalable aerosol and battery chargers

In International Class 010, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 10/00/2013, and first used in commerce at least as early as 10/00/2013, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) One of the images shows the front of the package containing "King Pen" vaporizer. The other image shows one of the sides of the packaging containing the bar code and claiming rights to the brand "King Pen".

[Specimen File1](#)

[Specimen File2](#)

No claim is made to the exclusive right to use pen apart from the mark as shown.

For informational purposes only, applicant's website address is: www.mykingpen.com

The applicant's current Correspondence Information:

XS DISTRIBUTION LLC
XS DISTRIBUTION LLC
31234 Warren Rd
Westland, Michigan 48185
7342663677(phone)
7343382176(fax)
xsvapor@gmail.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Anthony Shallal/ Date: 12/07/2013

Signatory's Name: Anthony J Shallal

Signatory's Position: Principal

RAM Sale Number: 86137774

RAM Accounting Date: 12/09/2013

Serial Number: 86137774

Internet Transmission Date: Sat Dec 07 15:42:32 EST 2013

TEAS Stamp: USPTO/BAS-50.192.110.82-2013120715423252

6081-86137774-500368bef82f8f303d7779e8e6

d7339c107421b95b6cfebbbf5d67e7e1788d8-CC

-8035-20131207143039947695

Exhibit C



The King Pen logo and King Pen are trade marks or registered trademarks of XS Distribution, LLC.



8 57464 00417 0



KING
PEN VAPORIZER



Dual Kit

1 Year Limited Warranty

Exhibit D

© 1999-2011, Parallels
All rights reserved

Web Server's Default Page

This page is generated by **Parallels Plesk Panel**, the leading hosting automation software. You see this page because there is no Web site at this address.

You can do the following:

- Create domains and set up Web hosting using Parallels Plesk Panel.

New to Parallels?

Parallels is a worldwide leader in virtualization and automation software that optimizes computing for consumers, businesses, and Cloud services providers across all major hardware, operating systems, and virtualization platforms.

For the Cloud, Parallels automation and virtualization software enables cloud services providers to rapidly and profitably deliver the widest range of cloud services that small businesses want and need. Our software includes key building blocks of cloud service delivery - self service control panels, billing, cloud service provisioning and virtualization. We enable the delivery of all types of services that small businesses need - shared web hosting and web applications, messaging and collaboration services, virtualized infrastructure services and thousands of other applications.

Our Automation products allow businesses to optimize their systems to maximize profit. Our Virtualization products allow personal computers to run several operating systems on one computer (like OSX and Windows) and for individual servers to function like many servers at once for creating cloud computing environments.

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Parallels® Desktop for Mac



The best solution for running Windows, Linux, or any of many other operating systems alongside OS X.

Parallels® Desktop for Windows and Linux



Simultaneously run multiple operating systems on your PC

Service Provider Products

Parallels® Automation



Hosting, SaaS, and cloud computing automation solution.

Parallels® Panel



The Best Control Panel Ever For Easy, Complete and Profitable Hosting

Exhibit E

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- [Private Registration](#)
- [Protect](#)
- [Forward](#)

WHOIS Results for mykingpen.com

Available domain names similar to mykingpen.com

Available Extensions

- ☐ **mykingpen.net**
- ☐ **mykingpen.org**
- ☐ **mykingpen.us**
- ☐ **mykingpen.us.com**

Available Domains

- ☐ mykingpan.com
- ☐ **mykingpenworld.com**
- ☐ **mykingpenforyou.com**
- ☐ **mykingpennation.com**

Premium Resale Domains

- ☐ chinapenking.com **\$577**
- ☐ brasspens.com **\$500**
- ☐ kingpentvshow.com **\$299**
- ☐ graduationpens.com **\$899**
- ☐ **mykingpen.info**
- ☐ **mykingpen.mobi**
- ☐ **mykingpen.biz**
- ☐ **mykingpen.co.uk**
- ☐ **mykingpen.pro**
- ☐ **mykingpen.de**
- ☐ **mykingpenplanet.com**
- ☐ **mykingpenstore.com**
- ☐ super**mykingpen.com**
- ☐ my**mykingpen.com**
- ☐ best**mykingpen.com**
- ☐ **mykingpenblog.com**
- ☐ havepenwillwrite.com **\$2,869**
- ☐ penspencils.com **\$1,749**
- ☐ penwrite.com **\$1,400**

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Add Selected to Cart

mykingpen.com

Is this your domain name? [Renew it now.](#)

Domain Name: MYKINGPEN.COM
Registry Domain ID:
Registrar WHOIS Server: whois.lund1.info
Registrar URL: http://land1.com
Updated Date: 2013-10-03 00:00:00
Creation Date: 2013-10-03 00:00:00
Registrar Registration Expiration Date: 2014-10-03 00:00:00
Registrar: 1&1 Internet AG
Registrar IANA ID: 83
Registrar Abuse Contact Email: abuse@land1.com
Registrar Abuse Contact Phone:
Reseller:
Domain Status: clientTransferProhibited
Registry Registrant ID:
Registrant Name: Oneandone Private Registration
Registrant Organization: 1&1 Internet Inc. - www.land1.com
Registrant Street: 701 Lee Road Suite 300
Registrant City: Chesterbrook
Registrant State/Province: PA
Registrant Postal Code: 19087
Registrant Country: US
Registrant Phone: +1.8772064254
Registrant Phone Ext:
Registrant Fax:
Registrant Fax Ext:
Registrant Email: proxy4460325@land1-private-registration.com
Registry Admin ID:
Admin Name: Oneandone Private Registration
Admin Organization: 1&1 Internet Inc. - www.land1.com
Admin Street: 701 Lee Road Suite 300
Admin City: Chesterbrook
Admin State/Province: PA
Admin Postal Code: 19087
Admin Country: US
Admin Phone: +1.8772064254
Admin Phone Ext:
Admin Fax:
Admin Fax Ext:
Admin Email: proxy4460325@land1-private-registration.com
Registry Tech ID:
Tech Name: Oneandone Private Registration
Tech Organization: 1&1 Internet Inc. - www.land1.com
Tech Street: 701 Lee Road Suite 300
Tech City: Chesterbrook
Tech State/Province: PA
Tech Postal Code: 19087
Tech Country: US
Tech Phone: +1.8772064254
Tech Phone Ext:
Tech Fax:
Tech Fax Ext:
Tech Email: proxy4460325@land1-private-registration.com
Name Server: ns-us.land1-dns.com
Name Server: ns-us.land1-dns.us
Name Server: ns-us.land1-dns.de
Name Server: ns-us.land1-dns.org
DNSSEC: Unsigned
URL of the ICANN WHOIS Data Problem Reporting System: http://wdprs.int
>>> Last update of WHOIS database: 2014-09-16 20:20:28 <<<

The previous information has been obtained either directly from the registrant or a registrar of the domain name other than Network Solutions. Network Solutions, therefore, does not guarantee its accuracy or completeness.

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Make an instant, anonymous offer to the current domain registrant. [Learn More](#)

Make Offer

Search Again

Search by either

- ☒ [Domain Name](#) e.g. networksolutions.com
☐ [IP Address](#) e.g. 205.178.187.13

Search

An advertisement for NameJet, a domain auction platform. It features a blue background with white and yellow text. At the top left, there are three white blocks with 'www' on them and a wooden gavel. The text reads: 'GOING ONCE, GOING TWICE, SOLD!' in white and yellow. Below that, it says 'Domain name you want expiring soon?' in white and yellow. Then, 'Bid now, it could be yours.' in white. Further down, it says 'Backorder domain names with NameJet® - the premiere auction platform for expired domains.' in white. At the bottom, there is a 'LEARN MORE' link in white and the NameJet logo in yellow and white.

GOING ONCE,
GOING TWICE,
SOLD!

Domain name you want
expiring soon?

Bid now, *it could be yours.*

Backorder domain names with NameJet® - the
premiere auction platform for expired domains.

[LEARN MORE](#)

NameJet



Processing...



Exhibit F

<http://www.mykingpen.com>

Latest

Show All

Hrm.

Wayback Machine doesn't have that page archived.

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- [Misleading Business Solicitations](#)

Business Entity Detail

Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Friday, September 12, 2014. Please refer to [Processing Times](#) for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity.

Entity Name:	XS DISTRIBUTION LLC
Entity Number:	201423110062
Date Filed:	08/14/2014
Status:	ACTIVE
Jurisdiction:	CALIFORNIA
Entity Address:	1581 W PALAIS RD
Entity City, State, Zip:	ANAHEIM CA 92892
Agent for Service of Process:	LEGALINC CORPORATE SERVICES INC. (C3444750)
Agent Address:	*
Agent City, State, Zip:	*

* Indicates the information is not contained in the California Secretary of State's database.

* **Note:** If the agent for service of process is a corporation, the address of the agent may be requested by ordering a status report.

- For information on checking or reserving a name, refer to [Name Availability](#).
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to [Information Requests](#).
- For help with searching an entity name, refer to [Search Tips](#).
- For descriptions of the various fields and status types, refer to [Field Descriptions and Status Definitions](#).

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Exhibit H

- [Search](#)
- [Renew](#)
- [Transfer](#)
- [Features](#)
- [Private Registration](#)
- [Protect](#)
- [Forward](#)

WHOIS Results for kingpenvapes.com

Available domain names similar to kingpenvapes.com

Available Extensions

- ☐ **kingpenvapes.net**
- ☐ **kingpenvapes.org**
- ☐ **kingpenvapes.us**
- ☐ **kingpenvapes.us.com**

Available Domains

- ☐ kingpanvapes.com
- ☐ **kingpenvapessite.com**
- ☐ **kingpenvapesnation.co**
m
- ☐ **kingpenvapesland.com**

Premium Resale Domains

- ☐ chinapenking.com **\$577**
- ☐ brasspens.com **\$500**
- ☐ kingpentvshow.com **\$299**
- ☐ graduationpens.com **\$899**
- ☐ **kingpenvapes.info**
- ☐ **kingpenvapes.mobi**
- ☐ **kingpenvapes.biz**
- ☐ **kingpenvapes.co.uk**
- ☐ **kingpenvapes.pro**
- ☐ **kingpenvapes.de**
- ☐ **kingpenvapesweb.com**
- ☐ **kingpenvapesstore.com**
- ☐ **kingpenvapesdirect.com**
- ☐ **kingpenvapeslive.com**
- ☐ **kingpenvapesplanet.com**
- ☐ **kingpenvapeshome.com**
- ☐ havepenwillwrite.com **\$2,869**
- ☐ penspencils.com **\$1,749**
- ☐ penwrite.com **\$1,400**

[View more](#)

[Add Selected to Cart](#)

kingpenvapes.com

Is this your domain name? [Renew it now.](#)

Domain Name: KINGPENVAPES.COM
Registry Domain ID: 1813610327_DOMAIN_COM-VRSN
Registrar WHOIS Server: whois.godaddy.com
Registrar URL: http://www.godaddy.com
Update Date: 2014-06-08 13:22:53
Creation Date: 2013-07-08 00:53:52
Registrar Registration Expiration Date: 2015-07-08 00:53:52
Registrar: GoDaddy.com, LLC
Registrar IANA ID: 146
Registrar Abuse Contact Email: abuse@godaddy.com
Registrar Abuse Contact Phone: +1.480-624-2505
Domain Status: clientTransferProhibited
Domain Status: clientUpdateProhibited
Domain Status: clientRenewProhibited
Domain Status: clientDeleteProhibited
Registry Registrant ID:
Registrant Name: Alex Mirzaian
Registrant Organization:
Registrant Street: 2306 Mira Vista
Registrant Street: 3
Registrant City: Montrose
Registrant State/Province: California
Registrant Postal Code: 91020
Registrant Country: United States
Registrant Phone: 8182705768
Registrant Phone Ext:
Registrant Fax:
Registrant Fax Ext:
Registrant Email: mirzaian92@gmail.com
Registry Admin ID:
Admin Name: Alex Mirzaian
Admin Organization:
Admin Street: 2306 Mira Vista
Admin Street: 3
Admin City: Montrose
Admin State/Province: California
Admin Postal Code: 91020
Admin Country: United States
Admin Phone: 8182705768
Admin Phone Ext:
Admin Fax:
Admin Fax Ext:
Admin Email: mirzaian92@gmail.com
Registry Tech ID:
Tech Name: Alex Mirzaian
Tech Organization:
Tech Street: 2306 Mira Vista
Tech Street: 3
Tech City: Montrose
Tech State/Province: California
Tech Postal Code: 91020
Tech Country: United States
Tech Phone: 8182705768
Tech Phone Ext:
Tech Fax:
Tech Fax Ext:
Tech Email: mirzaian92@gmail.com
Name Server: NS67.DOMAINCONTROL.COM
Name Server: NS68.DOMAINCONTROL.COM
DNSSEC: unsigned
URL of the ICANN WHOIS Data Problem Reporting System: http://wdprs.int
Last update of WHOIS database: 2014-09-16T18:00:00Z

The data contained in GoDaddy.com, LLC's WhoIs database,
while believed by the company to be reliable, is provided "as is"

with no guarantee or warranties regarding its accuracy. This information is provided for the sole purpose of assisting you in obtaining information about domain name registration records. Any use of this data for any other purpose is expressly forbidden without the permission of GoDaddy.com, LLC. By submitting an inquiry, you agree to these terms of usage and limitations of warranty. In part you agree not to use this data to allow, enable, or otherwise make possible dissemination or collection of this data, in part or in its entirety, for any purpose, such as the transmission of unsolicited advertising and solicitations of any kind, including spam. You further agree not to use this data to enable high volume, automated or robotic electronic processes designed to collect or compile this data for any purpose, including mining this data for your own personal or commercial purposes.

Please note: the registrant of the domain name is specified in the "registrant" section. In most cases, GoDaddy.com, LLC is not the registrant of domain names listed in this database.

The previous information has been obtained either directly from the registrant or a registrar of the domain name other than Network Solutions. Network Solutions, therefore, does not guarantee its accuracy or completeness.

[Show underlying registry data for this record](#)



Make an instant, anonymous offer to the current domain registrant. [Learn More](#)

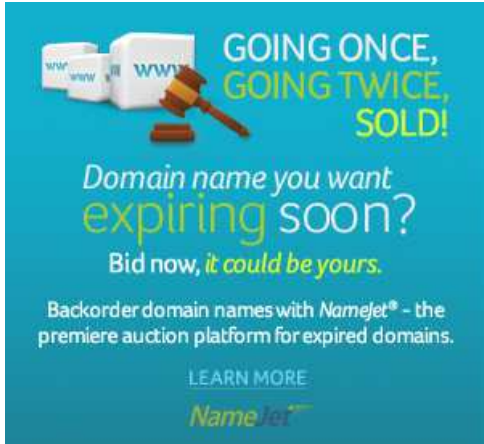
[Make Offer](#)

Search Again

Search by either

- ☒ Domain Name e.g. networksolutions.com
☐ IP Address e.g. 205.178.187.13

[Search](#)



Processing...



Exhibit I



Search Twitter

**King Pen Vapes**

@KingPenVapes

Retail/Wholesale

Info@kingpenvapes.com Kik:

kingpenvapes Call us today! 1-800-359-1047

📍 Los Angeles, CA

🌐 KingPenVapes.com

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14FOLLOWERS
11FAVORITES
1

More ▾



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Tweets & replies

**King Pen Vapes** @KingPenVapes · 13h

Somestuff you need to know about electronic cigarettes! mashable.com/2014/01/19/electronic-cigarettes/ via @mashable

**King Pen Vapes** @KingPenVapes · 14h

Check out another sexy vapor! @MamaCatelin her videos of clouds explains it all! [instagram.com/p/s_RwReG7zV/](https://www.instagram.com/p/s_RwReG7zV/)

**King Pen Vapes** @KingPenVapes · Sep 13

Mayweather VS. Maidana 2... What do you guys think? Who will win?! Let's see your opinions. [instagram.com/p/s5-6SMG7z4/](https://www.instagram.com/p/s5-6SMG7z4/)



**King Pen Vapes** @KingPenVapes · Sep 13DovPo Firestone E-lvt mod! The most durable and reliable Vape mod with variable voltage from 3V-6V.... [instagram.com/p/s5cmjXG70S/](https://www.instagram.com/p/s5cmjXG70S/)**King Pen Vapes** @KingPenVapes · Sep 12Stainless steel glass globe vaporizer starter kit with carry case! Also check out elementiumlighter... [instagram.com/p/s2jiOmG75C/](https://www.instagram.com/p/s2jiOmG75C/)**King Pen Vapes** @KingPenVapes · Sep 10Shoutout to melers420.jayy one of our most prettiest followers and promoter who has been a huge help.... [instagram.com/p/sxqFvhG7wk/](https://www.instagram.com/p/sxqFvhG7wk/)**King Pen Vapes** @KingPenVapes · Sep 10Healthy morning for a healthy lifestyle! Glass globe attachment for MicroG and elips style batteries!... [instagram.com/p/sxU93aG7_v/](https://www.instagram.com/p/sxU93aG7_v/)**King Pen Vapes** @KingPenVapes · Sep 9aGo G5 triple use 3-in-1 vaporizer for \$33.99. FREE shipping with one year free warranty!! PLUS YOU... [instagram.com/p/svVTtHG77d/](https://www.instagram.com/p/svVTtHG77d/)**King Pen Vapes** @KingPenVapes · Sep 8Just posted a photo [instagram.com/p/ss5Gc4G72k/](https://www.instagram.com/p/ss5Gc4G72k/)**King Pen Vapes** @KingPenVapes · Sep 6Just posted a photo [instagram.com/p/snah-2m7yh/](https://www.instagram.com/p/snah-2m7yh/)**King Pen Vapes** @KingPenVapes · Sep 5Just in! The glass bubbler vaporizer with [#percolator](#)! It's on 15% sale with free shipping and free... [instagram.com/p/sk3tSZm76G/](https://www.instagram.com/p/sk3tSZm76G/)

Retweeted by King Pen Vapes

**IG:HempHeadGlobal** @HempHeadGlobal · Sep 4🎁 With Pleasure @hempheadglobal in [#collaboration](#) with @kingpenvapes would like to congratulate THE... [instagram.com/p/sh6oZXSyBm/](https://www.instagram.com/p/sh6oZXSyBm/)



King Pen Vapes @KingPenVapes · Sep 3

Ceramic glass globe attachment for your microg and elips style batteries. Still on sale with 15% off!! [instagram.com/p/sfolkxG797/](https://www.instagram.com/p/sfolkxG797/)



King Pen Vapes @KingPenVapes · Aug 29

Just posted a photo [instagram.com/p/sTEElgm73u/](https://www.instagram.com/p/sTEElgm73u/)



King Pen Vapes @KingPenVapes · Aug 25

I'm selling an iPhone 5 and 5s vaporizer on 10sec! Check out my shop. kingpenvapes.10s.ec via @10sec_team



King Pen Vapes @KingPenVapes · Aug 25

Enter for a chance to a G5 vaporizer and some slaps! Follow @hempheadglobal and @kingpenvapes Repost... [instagram.com/p/slkhgCG79j/](https://www.instagram.com/p/slkhgCG79j/)



King Pen Vapes @KingPenVapes · Aug 22

Another giveaway! Follow crackingbones @loui3thexiii @kingpenvapes and TAG #deluxkingbones 5 entries... [instagram.com/p/sBYgTwG72p/](https://www.instagram.com/p/sBYgTwG72p/)



King Pen Vapes @KingPenVapes · Aug 21

We got another giveaway for you guys! Follow iwillmarrymary self33 420titanium @kingpenvapes and tag... [instagram.com/p/r-0Y_JG7w-/](https://www.instagram.com/p/r-0Y_JG7w-/)



King Pen Vapes @KingPenVapes · Aug 21

What do you think of a new design for our logo? Yay or nay?! Let us know! #logo #design #kingpenvapes... [instagram.com/p/r9_ezxm767/](https://www.instagram.com/p/r9_ezxm767/)



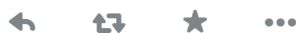
King Pen Vapes @KingPenVapes · Aug 20

How do you start your day off with a balanced diet? #nutella #hazelnut #instagood #instadaily... [instagram.com/p/r7QWLyG71S/](https://www.instagram.com/p/r7QWLyG71S/)



King Pen Vapes @KingPenVapes · Aug 18

Check out our iPhone vaporizer for the iPhone 5/5s. Perfect for portability and efficiency! #instagood... [instagram.com/p/r2pdPxG7wP/](https://www.instagram.com/p/r2pdPxG7wP/)





King Pen Vapes @KingPenVapes · Aug 15

Shoutout to @factsofhealth for the motivational and inspirational posts!
#fitness #health #beauty... [instagram.com/p/rvUQMUG79e/](https://www.instagram.com/p/rvUQMUG79e/)



King Pen Vapes @KingPenVapes · Aug 10

Congrats to @dgnarrly on this weeks giveaway! He'll be getting a new ti
nail from thedabballstars a... [instagram.com/p/rixwqam70n/](https://www.instagram.com/p/rixwqam70n/)



King Pen Vapes @KingPenVapes · Aug 10

Enjoying this Sunday eating this strawberry tart with a bottle of Orchard
Peach and Cinnamon Toast... [instagram.com/p/rihf-im74r/](https://www.instagram.com/p/rihf-im74r/)



King Pen Vapes @KingPenVapes · Aug 10

Get in for your last chance! Tag and repost. #dabberkinghat
#kingpenvapes
Must be 18 or older!... [instagram.com/p/riHMg8G74r/](https://www.instagram.com/p/riHMg8G74r/)



King Pen Vapes @KingPenVapes · Aug 8

Hurry and join us in another giveaway!
Repost and tag: stldabberchick
@swithtophat
thedabballstars... [instagram.com/p/rdb3euG74t/](https://www.instagram.com/p/rdb3euG74t/)



King Pen Vapes @KingPenVapes · Aug 8

The two essentials to have on a hiking/camping trip! Make sure to pack
your dry herb vaporizer ... in... [instagram.com/p/rcu__wG70U/](https://www.instagram.com/p/rcu__wG70U/)



King Pen Vapes @KingPenVapes · Aug 7

We have teamed up with stldabberchick and thedabballstars to do
another giveaway for everyone! This... [instagram.com/p/raFkLam74K/](https://www.instagram.com/p/raFkLam74K/)



King Pen Vapes @KingPenVapes · Aug 5

Customer appreciation pic! Camo green E-LVT with a pro tank 2. 0mg
Watermelon Bubblegum by... [instagram.com/p/rVsZysm77S/](https://www.instagram.com/p/rVsZysm77S/)



King Pen Vapes followed [Haze Vapours](#), [VaperOne](#), [VAPE SQUAD](#) and 10 others

[+ Follow](#)**Haze Vapours**

@HazeVapours

New E Cigarette Shop Lindsay Road,
Leith. All your E Cigarette needs.
Customise your own starter kits. All
accessories and liquids!

[+ Follow](#)**VaperOne**

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The Cheapest E-Cigarettes on the
market



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Promoted

**Elena Dell...** ×[+ Follow](#)**Skylar Dig...** ×[+ Follow](#)

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Ebola

Scotland

#5SOSSauceTastesLike

#indyref

#WWAARIZONA

Viva Mexico


Darren Sproles

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#DemocratTShirts

Exhibit J


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1

Create Page

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Timeline

About

Photos

Likes

Videos

PEOPLE

41 likes

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ABOUT

We are your ultimate one stop shop for all vaporizers and vaporizer accessories. We have vaporizers for dry herb, concentrates and eliquids.

<http://www.KingPenVapes.com/>

Suggest Edits

PHOTOS



POSTS TO PAGE

PostPhoto / Video

Write something on this Page...

King Pen VapesSeptember 8


Check us out on InstaGram and all the giveaways we have going on! Stay tuned and we will bring more giveaways to facebook!

FOLLOW- @MEIERS420.jayy @KINGPENVAPES




REPOST & hashtag- #MEIERSPENVAPES

Like · Comment · Share

King Pen VapesSeptember 5

Follow us on InstaGram. @KingPenVapes

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King Pen Vapes shared a link

<https://www.facebook.com/pages/King-Pen-Vapes/638318466283316>

Page 1 of 4

**Jasone Gao**

September 2 at 12:46am

double coil for vape pen

Like · Comment

**Author Robert Womack**

August 25 at 7:56pm

King Pen Vapes have great products for your every need, as well as professional people handling every order!!

Like · Comment

1

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King Pen Vapes shared a link.
August 31

Check out VapeLife Will and his newest video! iPhone 5 and 5s vaporizer
<https://www.youtube.com/watch?v=g2mOV-NgmB0>



Dopvo EZ-Phone For iPhone 5 & 5S Vape Case & CHARGER!

Looking for a Vape, E-Hookah or E-cigarette (so many names) for your iPhone 5 or 5S? Well, now you can with the EZ-Fone by Dopvo sold at The VapeLife Store. ...

Like · Comment · Share

**King Pen Vapes**

August 27

Contest giveaway stopped until further notice.

Like · Comment · Share



King Pen Vapes shared a link.
August 25

Check out our iPhone 5 and 5S vaporizer



10sec - A marketplace for Instagram

10s.ec

Everything you need to post and manage your items. All in one place.

Like · Comment · Share



King Pen Vapes shared a link.
August 25

Follow us on Twitter too!

<https://twitter.com/KingPenVapes>



King Pen Vapes (KingPenVapes) on Twitter
twitter.com

The latest from King Pen Vapes (@KingPenVapes).

Like · Comment · Share



King Pen Vapes shared a link.
August 25

Follow us on Instagram!

<http://instagram.com/kingpenvapes>



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Retail/Wholesale Info@kingpenvapes.com Kik: kingpenvapes Call us today! 1-800-359-1047

Like · Comment · Share



King Pen Vapes
August 25

We are starting a giveaway that will end at the end of this week. Enter your chance to win by pressing the "Like" button. We will pick one winner to get their own aGo G5 Dry Herb Vaporizer. Must be 18+.

For More Info on the Vaporizer:
<http://kingpenvapes.com/shop/product/ago-g5-dry-herb-vaporizer/>



Like · Comment · Share



King Pen Vapes
August 25

You can reach us at 1(800)359-1047 or email us at info@kingpenvapes.co

Like · Comment · Share



King Pen Vapes
August 25

Like us today and check out www.KingPenVapes.com!

Like · Comment · Share



King Pen Vapes changed their cover photo.
August 25



Like · Comment · Share

EARLIER IN 2014

HIGHLIGHTS ▾



Joined Facebook
August 25

Search

Exhibit K



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@KINGPENVAPES



Follow

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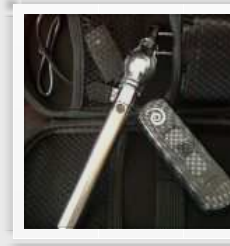
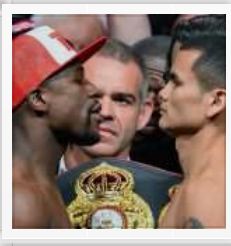
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vapes Call us today! 1-800-359-1047
<http://www.KingPenVapes.com>

128
posts

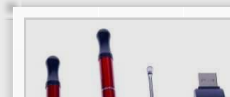
1,884
followers

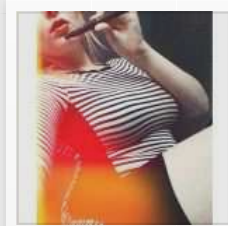
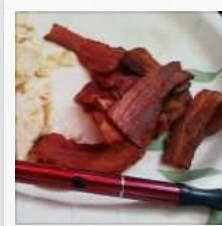
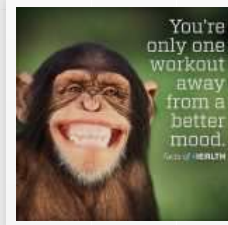
262
following

September 2014

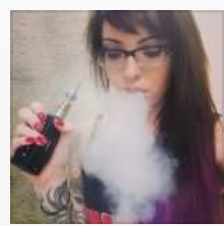
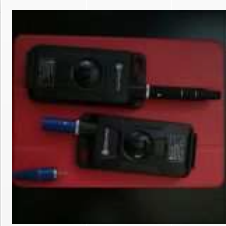


August 2014

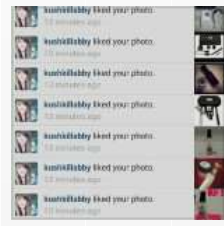




July 2014



June 2014



May 2014



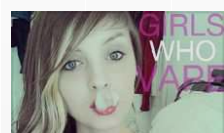
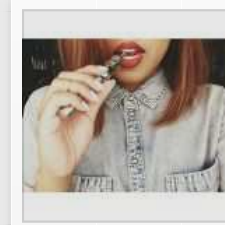
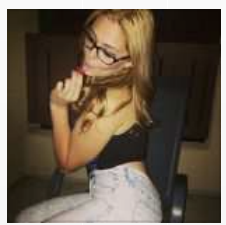
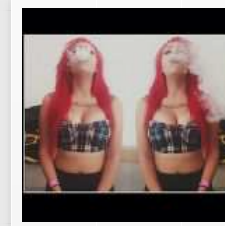
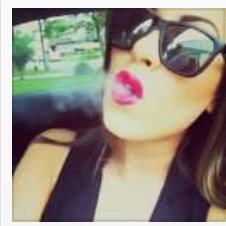
April 2014

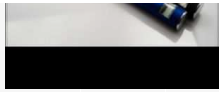


September 2013

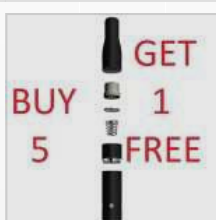
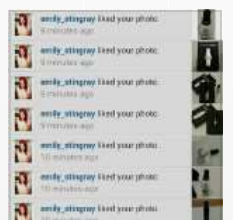


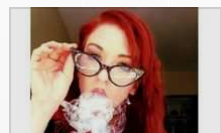
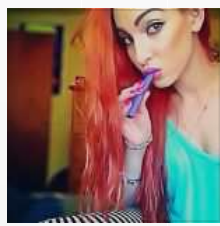
August 2013





July 2013





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BUY 5



GET 1 FREE



All items loaded